

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

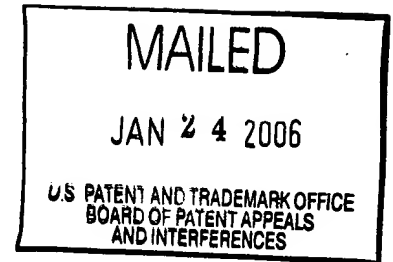
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HYE-YOUNG LEE

Appeal No. 2005-2542
Application 09/118,100¹

HEARD: December 14, 2005



Before KRASS, BARRETT, and DIXON, Administrative Patent Judges.
BARRETT, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the non-final rejection of claims 1, 2, 5-8, 11, and 12.

Claims 3, 4, 9, and 10 have been canceled.

We reverse.

¹ Application for patent filed July 17, 1998, entitled "Mobile Telephone Capable of Displaying World Time and Method for Controlling the Same."

PREVIOUS BOARD DECISION

A previous decision was entered in this application on March 3, 2004, Appeal No. 2003-1142, in which the rejection was reversed.

BACKGROUND

The invention relates to an apparatus and method for providing local time information for a plurality of cities in the world. A "reference time" is either a time set by the user or a system time acquired from a signal received from a remote system (e.g., a sync channel message); as claimed, the "reference time" is acquired from a signal received from a remote system. A clock circuit provides "elapsed time" from the "reference time." "Greenwich Mean Time (GMT)" is stored for each of a plurality of cities. The time in a selected city is determined from reference time, the elapsed time, and the difference between the GMT of the selected city and the GMT of a present location.

Claim 1 is reproduced below.

1. An apparatus for displaying local time information, comprising:
 - means for storing Greenwich mean time (GMT) information for each of a plurality of cities;
 - means for acquiring a reference time from a signal received from a remote system;
 - means for counting a duration of time that elapses from when said reference time is acquired;
 - means for selecting at least one of said plurality of cities and automatically calculating a local time of said

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selected city, said local time being based on a difference between the GMT of said selected city and the GMT of a present location of said apparatus, said reference time and said elapsed time; and

means for outputting said local time.

THE REFERENCES

The examiner relies on the following references:

Whitmore	6,108,277	August 22, 2000 (filed June 15, 1998)
Roberts, Jr.	6,223,050	April 24, 2001 (filed December 9, 1997)

THE REJECTION

Claims 1, 2, 5-8, 11, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Whitmore and Roberts.

We refer to the rejection (pages referred to as "R__") entered March 26, 2004, and the examiner's answer (pages referred to as "EA__") for a statement of the examiner's rejection, and to the brief (pages referred to as "Br__") and reply brief (pages referred to as "RBr__") for a statement of appellant's arguments thereagainst.

OPINION

Claim 1 is representative.

The examiner finds that Whitmore teaches the claimed subject matter except for acquiring a reference time from a signal received from a remote system (R3). The examiner finds that "Roberts discloses a system and method for automatically setting

a remote timepiece with the correct time wherein the reference time is received from a signal received from a remote system [col. 4: lines 44-56]" (FR3). The examiner concludes that it would have been obvious to modify Whitmore to include the feature of acquiring of a reference time from a remote source as taught by Roberts in order "to reduce the number of necessary components in the apparatus in order to reduce cost, size, and weight and further to avoid the need to use excess battery power to continually maintain the reference time information when the apparatus is deactivated" (FR4) and that "Roberts provides further motivation by stating that it would be more efficient and more accurate to automatically reset clocks with a reference time when power is interrupted or the time changes [col. 1, lines 42-46; col. 2, lines 43-49)].

Appellant does not contest that it would have been obvious to acquire a reference time from a signal received from a remote system in view of Roberts. Appellant argues, first, that "[i]n Whitmore, the local time of a selected city is not calculated based on a reference time" (Br4) because the local time is entered by the user. Second, it is argued that "the current local time of a city entered by the user in Whitmore and the Greenwich Mean Time ('GMT') are not used for calculating a current local time of a selected city" (Br4) because the GMT is used "to correlate information stored as part of the ephemeris

... which is typically set for GMT" (col. 8, lines 39-40).

Third, it is argued that the GMT is not used for calculating a local time of said selected city based on a reference time, "[r]ather, the GMT is used for calculating and displaying astrological information of the current location based on the inputted current local time and the current location" (Br4) and "such correlation as to the information stored as part of the ephemeris is not a calculation of a current local time of said selected city based on a reference time" (Br5).

We agree with appellant that Whitmore does not teach "means for selecting at least one of said plurality of cities and automatically calculating a local time of said selected city, said local time being based on a difference between the GMT of said selected city and the GMT of a present location of said apparatus, said reference time and said elapsed time." Whitmore has a display including an input 26 for inputting the city and state (Figs. 1 and 2), and "a conversion table between Greenwich Mean Time ("GMT") and the current local time at one of the various predetermined geographical locations, so as to correlate information stored as part of the ephemeris in the second data base, which typically is set for GMT" (col. 8, lines 29-40). Although the conversion table between GMT and the current local time at various predetermined geographical locations suggests the ability to convert from a local time at the present city to the

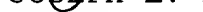
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local time at another selected city, Whitmore does not actually teach such a conversion. Appellant is correct that the purpose of the conversion table is "so as to correlate information stored as part of the ephemeris in the second data base, which typically is set for GMT" and, therefore, the table is used for converting information in the ephemeris to local time, not for converting local time at one city to local time in another city. Looking at the brief and reply brief in the previous appeal, this difference was not argued and the main argument was the lack of Klausner's teaching of acquiring a reference time. The rejection of 1, 2, 5-8, 11, and 12 is reversed.

REVERSED


ERROL A. KRASS)
Administrative Patent Judge)


LEE E. BARRETT
Administrative Patent Judge


JOSEPH L. DIXON
Administrative Patent Judge

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